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TO: Examiner Regina M. Deberry
United States Patent and Trademark Office

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PAGES: 5 + cover sheet

DATE: April 24, 2006

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Application of: Brines et al.

Confirmation No.: 4714

Serial No.: 09/547,220

Art Unit: 1647

Filed: April 11, 2000

Examiner: DeBerry, Regina M.

For: Modulation of Excitable Tissue
Function by Peripherally
Administered Erythropoietin

Attorney Docket No.: 10165-006-999

Applicants submit herewith for filing an Amendment under 37 C.F.R. §1.116 in connection with the
above identified application.

If the Examiner has any questions or requires any further information, Applicants request that
the Examiner call the sender at 212-326-8383.

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(b)

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Richard Enmon, Jr.

52,865
Reg. No.

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AMENDMENT UNDER 37 C.F.R. § 1.116

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated February 22, 2006 (the "Office Action"), Applicants respectfully request that the following remarks and amendments be considered by the Examiner and entered in to the record of the above-captioned application. Because April 22, 2006 was a Saturday, Applicants submit that this response is being timely filed on the two month date of April 24, 2006.

It is believed that there is no fee required for filing this response; however, in the event that a fee is required, please charge Jones Day Deposit Account No. 50-3013.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.

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